

Entered on Docket
June 09, 2017

Honorable Gregg W. Zive
United States Bankruptcy Judge



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Cal Neva Lodge, LLC

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re: Case No. 16-51281-GWZ

CAL NEVA LODGE, LLC, Chapter 11 Case

Debtor.

**ORDER FIXING DATES AND OTHER
MATTERS REGARDING (1)
DISCLOSURE STATEMENTS AND
PLANS AND (2) MOTIONS FOR RELIEF
FROM THE AUTOMATIC STAY**

**Hearing Date: June 1, 2017
Hearing Time: 1:00 p.m.**

The Court conducted a hearing on June 1, 2017, in both Case No. 16-51281-gwz and Case No. 16-51282-gwz to consider, among other matters, identical or substantially identical proposed disclosures statements filed in both cases as follows: (1) by Cal Neva

1 Lodge, LLC, debtor in case no. 16-51281-gwz (the “Parent Debtor”), on March 21, 2017;
 2 (2) by Leslie P. Busick, Paul Jameson, David Marriner, Charles and Judith Munnerlyn,
 3 Anthony Zabit, D4S, LLC, dba Dimension 4, and Paul and Evy Paye (collectively, the
 4 “Busick Proponents”) on May 21, 2017; and (3) by Ladera Development, LLC (“Ladera,”
 5 and together with the Parent Debtor and the Busick Proponents, the “Plan Proponents”), on
 6 March 21, 2017; as well as motions for relief from the automatic stay filed by Hall CA-NV,
 7 LLC, in Case No. 16-51282-gwz and by Ladera in Case No. 16-51281-gwz (collectively the
 8 “Stay Relief Motions”). Appearances of counsel were as stated on the record.

9 At the June 1 hearing, each of the Plan Proponents withdrew, without prejudice, their
 10 respective proposed disclosure statements. Also at the June 1 hearing, the Court established
 11 a schedule and directed certain other matters, as set forth in this Order, with respect to (1)
 12 any additional disclosure statements and plans that may be filed in this case and the Parent
 13 Debtor’s chapter 11 case, and (2) the Stay Relief Motions.

14 For the reasons stated on the record at the June 1 hearing, and good cause appearing,

15 **IT IS HEREBY ORDERED:**

16 1. All proposed disclosure statements and related plans (including amendments
 17 to any previously filed disclosure statements and plans) must be filed no later than **July 5,**
 18 **2017**. Objections to any such timely filed disclosure statement must be filed and served not
 19 later than **July 18, 2017**, and any reply must be filed and served not later than **July 21, 2017**.

20 2. The Court will consider approval of any disclosure statement filed by the
 21 deadline set forth above at a hearing that will be held on **July 25, 2017, at 1:00 p.m. Pacific**
 22 **time**.

23 3. The confirmation hearing will be held on **August 16, 2017, at 10:00 a.m.**
 24 **Pacific time** on any plan as to which a disclosure statement is approved at the July 25
 25 hearing. The Court will set, at the July 25 hearing, deadlines relating to solicitation and
 26 submission of ballots, objections to confirmation, and other matters relating to confirmation.

27 4. Any secured creditor that wishes to make an election under 11 U.S.C.
 28 § 1111(b) with respect to any plan that relates to a disclosure statement filed by the deadline

1 set forth herein must do so on or before **August 4, 2017**.

2 5. The preliminary hearings on the Stay Relief Motions are continued to **July**
3 **25, 2017, at 1:00 p.m. Pacific time**, which shall also be a status conference with regard to
4 the final hearing on such Motions.

5 6. The final hearing on both Stay Relief Motions shall be held on **August 16,**
6 **2017, at 10:00 a.m. Pacific time**, which shall be an evidentiary hearing.

7 7. All applicable notice periods are hereby shortened to permit filings by the
8 deadlines set forth herein.

9 8. This Order shall be entered and shall apply in both Case No. 16-51281-gwz
10 and Case No. 16-51282-gwz.

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12 PREPARED AND SUBMITTED BY:

13
14 /S/ Jeffrey L. Hartman
15 Jeffrey L. Hartman, Esq.
16 HARTMAN & HARTMAN
17 and
18 Peter J. Benvenutti
KELLER & BENVENUTTI
Attorneys for Debtor
NEW CAL-NEVA LODGE, LLC

19 APPROVED AS TO FORM:

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22 Jeffrey L. Hartman, Esq.
23 HARTMAN & HARTMAN
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25 David M. Poitras
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26 Attorneys for Debtor
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ALTERNATIVE METHOD Re: RULE 9021

In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

☐ The court has waived the requirement set forth in LR 9021(b)(1).

☐ No party appeared at the hearing or filed an objection to the paper.

☒ I have delivered a copy of the proposed order to all counsel who appeared at the hearing, any trustee appointed in this case and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond as indicated below.

Debtor's Counsel:

☒ Prepared / Approved the form of this order

☐ Waived the right to review the order and/or

☐ Appeared at the hearing, waived the right to review the order

☐ Matter unopposed, did not appear at the hearing, waived the right to review the order

☐ Disapproved the form of this order

☐ Did not respond to the paper

U.S. Trustee:

☒ Approved the form of this order

☐ Disapproved the form of this order

☐ Waived the right to review the order and/or

☐ Did not respond to the paper

☐ Did not appear at the hearing or object to the paper

☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order.

I declare under penalty of perjury that the foregoing is true and correct.

Submitted by:

HARTMAN & HARTMAN

/S/ Jeffrey L. Hartman

Jeffrey L. Hartman